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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

JULIE MARY SOTELO,
Plaintiff,

v.

REO CAPITAL INVESTMENTS AND
ASSET MANAGEMENT, INC., and others,
Defendants.

Case No. 12-cv-4604 NC

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE
DISMISSED FOR IMPROPER
VENUE**

Pro se plaintiff Julie Mary Sotelo must respond to this Order by October 5, 2012, to explain why this case should not be dismissed for improper venue. It appears from plaintiff's complaint that plaintiff may mistakenly believe that Tracy, California, sits within the federal judicial district of the Northern District of California. It does not. Tracy, and all of San Joaquin County, are within the Eastern District of California.

Under 28 U.S.C. § 1391(b), venue in a civil action is proper where (1) any defendant resides, if all defendants are residents of the State in which the district is located; or (2) a district in which a "substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated"; or (3) if there is no district in which the action may otherwise be brought, any district where personal jurisdiction may be exercised over any defendant.

1 Here, plaintiff's complaint alleges that defendant REO Capital does business in
2 San Joaquin County, and the allegations of the complaint arise from a property located
3 in San Joaquin County. There are no allegations on the face of the complaint connected
4 to the Northern District of California.

5 As a result, plaintiff must explain why this case should not be dismissed for
6 improper venue. In the alternative, plaintiff may desire to file a notice of voluntary
7 dismissal under Federal Rule of Civil Procedure 41(a)(1). By filing such a notice of
8 dismissal before the defendant answers, this case would be dismissed without prejudice.
9 "Without prejudice" means that the plaintiff would be permitted to re-file her lawsuit in
10 this or another court, such as the Eastern District of California.

11 Finally, as plaintiff is representing herself without an attorney, she may wish to
12 consult the Court's free handbook, "Representing Yourself in Federal Court: A
13 Handbook for Pro Se Litigants," which is available on the internet at
14 <http://cand.uscourts.gov/proselitigants> and from the clerk's office at 450 Golden Gate
15 Avenue, 16th Floor, San Francisco, CA, 94102. Plaintiff may also consult with the
16 Legal Help Center for the Bar Association of San Francisco by telephone, 415.782.9000
17 x8657.

18 IT IS SO ORDERED.

19 Date: September 7, 2012

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21 NATHANAEL M. COUSINS
22 United States Magistrate Judge
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